



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 West 15th Street, Suite 3200
HELENA, MONTANA 59626

Ref: 8MO

October 21, 2008

Ms: Ellen Russell, Project Manager,
Office of Electricity Delivery and Energy Reliability,
U.S. Department of Energy
1000 Independence Ave., S.W.
Washington, D.C. 20585,

and

Mr. Richard H. Opper, Director
Montana Dept. of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901

Re: CEQ # 20080400, Montana Alberta Tie Ltd. 230-kV
International Transmission Line FEIS

Dear Ms. Russell and Mr. Opper:

The Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Final Environmental Impact Statement (FEIS) for the Montana Alberta Tie Ltd. 230-kV International Transmission Line, in accordance with EPA responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C. 4231 and Section 309 of the Clean Air Act.

We appreciate receipt of the detailed responses to EPA's DEIS comments included in Chapter 10 of the FEIS. The preferred alternative consists of portions of Alternatives 2 and 4 and some local routing options (Figures S-4, S-5, and S-6, and as described in Section S.6.3 of the FEIS), which is stated to represent "the best balance between avoidance of impacts to farmland, cost, avoidance of houses, public acceptance, and use of public lands." The FEIS indicates that the agencies gave significant weight to impacts to farming practices when evaluating and comparing the routing alternatives due to preponderance of agricultural land uses in the region and the long-term nature of impacts to farming practices.

While the EPA has some environmental concerns regarding potential water quality impacts that may occur during transmission line construction, and it appears that the trade-offs evaluated in transmission line routing may have prioritized impacts to farm operations over some environmental considerations, we do not oppose implementation of the proposed Montana



Alberta Tie Ltd. 230-kV International Transmission Line project. Review of the FEIS, including Appendix A, shows that complex considerations were involved in evaluation of alternative routing options, and significant effort was put into evaluating and comparing the many project trade-offs, and that many mitigation measures for environmental protection are included.

We are pleased that additional environmental protection measures have been included in the revised draft Environmental Specifications (Appendix F), including 23 erosion and sediment control specifications, along with a commitment to prepare an erosion control plan and use best management practices during construction to minimize erosion impacts. We are also pleased that the revised draft Environmental Specifications would require delineation of wetlands within 250 feet of the approved location, prohibit access through wetlands, and require that all wetlands be spanned. We support the project goal of avoiding impacts to wetlands by avoiding placement of any structure within a jurisdictional wetland, and using construction buffers to eliminate any and all, including inadvertent, impacts to wetlands or other waters of the U.S., so that the project could be completed without any direct disturbances to streams and wetlands. The FEIS acknowledges that if any disturbance to waters of the U.S. did occur, the applicant would be required to comply with all applicable regulatory requirements, including compliance with Section 404 of the Clean Water Act.

We believe it is important that the revised draft Environmental Specifications included in the FEIS are adopted as the final Environmental Specifications. We also support adding the requirement for a 50-foot buffer zone around wetlands, within which no disturbance would be allowed, to the final adopted Environmental Specifications.

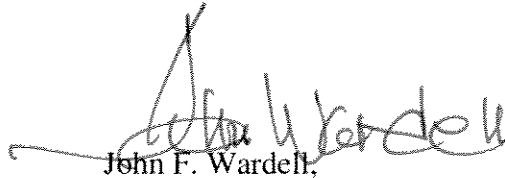
Construction of access roads has potential to be a significant aspect of the proposed project, and we are pleased that “only minimum development of access roads to construct, operate, and maintain the transmission line” are expected because most of the right-of-way would be accessed from public roads, existing two-track roads, and farm fields; and that MATL would reclaim any new access roads in coordination with landowners and agencies to DEQ environmental specifications; and that construction would be reviewed and inspected in the field.

We also appreciate the inclusion of many informative appendices with the FEIS that improve disclosure and enhance public and agency understanding of the many complex issues evaluated during the EIS analyses (e.g. Appendix A, DEQ Local Realignment Preliminary Segments Analysis; Appendix C, Noxious Weed Control Plan; Appendix D, Reclamation and Revegetation Plan, Appendix F, Revised Draft DEQ Environmental Specifications; Appendix I, Impaired River Segments Sheets; Appendix K, Priority Pollutant Monitoring Data; Appendix O, Wind Farm Mitigation Measures; Appendix P, ESA, Historic and Tribal Consultation).

Finally, we also thank you for including a map in the FEIS showing bird migration corridors through Montana, and providing additional discussion and evaluation of potential avian impacts of the proposed transmission line. We are pleased that bird strike diverters or similar warning devices will be installed in high risk areas such as within ¼ mile of streams, lakes, and wetlands and within ½ mile of the Benton Lake National Wildlife Refuge boundary.

The EPA appreciates the opportunity to review and comment during the NEPA process. If we you have any questions regarding our input please contact Mr. Steve Potts of my staff in Helena at (406) 457-5022 or in Missoula at 406-329-3313, or via e-mail at potts.stephen@epa.gov . Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Wardell", is written over the printed name.

John F. Wardell,
Director
Montana Office

cc: Larry Svoboda/Connie Collins, 8EPR-N, Denver

